

1 Honorable Thomas S. Zilly
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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

9 VALVE CORPORATION, a Washington
corporation,

10 Plaintiff,

11 v.

12 SIERRA ENTERTAINMENT, INC. (AKA
13 SIERRA ON-LINE, INC.), a Delaware
Corporation; VIVENDI UNIVERSAL
14 GAMES, INC., a Delaware Corporation; and
VIVENDI UNIVERSAL, S.A., a French
15 foreign corporation,

16 Defendants.

17 SIERRA ENTERTAINMENT, INC. (AKA
18 SIERRA ON LINE, INC., a Delaware
corporation; and VIVENDI UNIVERSAL
19 GAMES, INC., a Delaware corporation,

20 Counter-Claimants,

21 v.

22 VALVE CORPORATION, a Washington
Corporation; GABE NEWELL and LISA
23 MENNET NEWELL, husband and wife, and
the marital community composed thereof;
24 and SCOTT LYNCH and JULIE LYNCH,
husband and wife, and the marital community
25 composed thereof,

26 Counterclaim Defendants.

No. C 02-1683Z

*CORRECTED [PROPOSED] ORDER
GRANTING PLAINTIFF VALVE
CORPORATION'S CROSS-MOTION
FOR PARTIAL SUMMARY
JUDGMENT RE CYBERCAFE
RIGHTS*

*CORRECTED [PROPOSED] ORDER GRANTING PLAINTIFF
VALVE CORPORATION'S CROSS-MOTION FOR PARTIAL
SUMMARY JUDGMENT RE CYBERCAFE RIGHTS - 1*
Case No. C02-1683Z

PRESTON GATES & ELLIS LLP
925 FOURTH AVENUE
SUITE 2900
SEATTLE, WASHINGTON 98104-1158
TELEPHONE: (206) 623-7580
FACSIMILE: (206) 623-7022

1 THIS MATTER having come on for hearing before the undersigned Judge of the
2 above-entitled Court, and the Court having considered the moving and responding papers of
3 both Plaintiff's Cross-Motion to for Summary Judgment and Defendants' Motion for
4 Summary Judgment, the relevant supporting declarations, and other pleadings on file herein,
5 the Court grants Plaintiff's Cross-Motion for Summary Judgment and denies Defendants'
6 Motion for Summary Judgment.

ORDER

8 IT IS ORDERED, Defendants' Motion to for Summary Judgment Regarding
9 Cybercafé Rights is DENIED and Valve's Cross-Motion for Summary Judgment Regarding
10 Cybercafé Rights is GRANTED.

11 DATED this ____ day of _____, 2004.

Judge Thomas S. Zilly
United States District Court Judge

Presented by:

s/Karl J. Quackenbush
Karl J. Quackenbush, WSBA #9602
Jason P. Holtman, WSBA # 28233
Kristin J. Boraas, WSBA #32015
PRESTON GATES & ELLIS LLP
925 Fourth Avenue, Suite 2900
Seattle, WA 98104
Tel: (206) 623-7580
Fax: (206) 623-7022
karlq@prestongates.com

Attorneys for Plaintiff
Valve Corporation

**CORRECTED [PROPOSED] ORDER GRANTING PLAINTIFF
VALVE CORPORATION'S CROSS-MOTION FOR PARTIAL
SUMMARY JUDGMENT RE CYBERCAFE RIGHTS - 2**

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SUITE 2900
SEATTLE, WASHINGTON 98104-1158
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FACSIMILE: (206) 623-7022

CERTIFICATE OF SERVICE

I hereby certify that on September 23, 2004, I caused to be electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Annette L. Hurst

Linda Q. Foy

Sarah M. King

Michael R. Scott

s/Karl J. Quackenbush
WSBA #9602
PRESTON GATES & ELLIS LLP
925 Fourth Avenue, Suite 2900
Seattle, WA 98104
Tel: (206) 623-7580
Fax: (206) 623-7022
karlq@prestongates.com

**CORRECTED [PROPOSED] ORDER GRANTING PLAINTIFF
VALVE CORPORATION'S CROSS-MOTION FOR PARTIAL
SUMMARY JUDGMENT RE CYBERCAFE RIGHTS - 3**